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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

**JOY C. ARTER,**

CV 02-1536-JE

Plaintiff,

vs.

ORDER

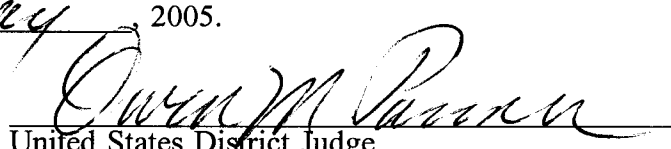
**COMMISSIONER of Social Security,**

Defendant.

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Attorney fees in the amount of \$12,755.50 are hereby awarded to Plaintiff's attorney pursuant to 42 U.S.C. § 406(b). The court finds this is a reasonable fee. Previously, this court awarded \$7,500.00, pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and the claimant has deposited with her attorney an additional fee of \$2,500.00, pending the outcome of the instant fee application. Therefore, when issuing the § 406(b) check, the agency is directed to send to Plaintiff's attorney **at his current address shown above** the amount of \$2,755.50, minus the applicable user fee. Any remaining withheld amount which will not be used to pay attorneys' fees should be released to the claimant.

DATED this 3 day of May, 2005.

  
United States District Judge

Presented by: s/ Tim Wilborn, OSB # 94464  
(503) 697-7019; Attorney for Plaintiff